

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
OFFICE OF THE CLERK

**MEMORANDUM**

**TO:** Part-Time Magistrate Judge Applicants

**FROM:** Susan McWhorter, Personnel Specialist

**SUBJECT:** Application Form

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Please complete and return the **original application and seven copies** of the same for submission to the Selection Committee. Any reference letters that you wish to submit should be addressed to the Magistrate Judge Selection Committee and attached to your application. The due date for all applications and letters of reference is 5:00 p.m., on Monday, September 15, 2003.

The Merit Selection Panel wishes to obtain as much relevant information as possible, and therefore the panel requests that you send **a transcript with seven copies** of your law school courses and grades to my attention. If transcripts are not available at the time of submission of your application, they may be mailed immediately upon receipt to my attention.

As you know, the application states that the panel will consider only the information and references contained in the form you have submitted. For the panel to be able to ask others not listed as referenced about your fitness for the position, it is necessary that you execute the attached waiver of confidentiality. If the waiver form meets with your approval, please sign and return the waiver with your application. Applications and waivers should be mailed or delivered to my attention at the address shown below:

U.S. District Court  
Eastern District of North Carolina  
Attn: Susan McWhorter, Personnel Specialist  
P.O. Box 25670  
Raleigh, NC 27611  
or  
Terry Sanford Federal Building  
310 New Bern Avenue, Room 574  
Raleigh, NC 27601

Please contact me if you have any questions concerning the application process.

**APPLICATION FORM  
UNITED STATES MAGISTRATE JUDGE**

Type or legibly print your answers. If a question is not applicable, indicate this by marking "N/A." Return completed form to the Clerk of Court.

**GENERAL**

1. Full name: \_\_\_\_\_

2. All other names by which you have been known: \_\_\_\_\_

3. Office address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

4. Residential address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

5. Place of birth: \_\_\_\_\_

Date of birth: \_\_\_\_\_

6. Length of residence in state: \_\_\_\_\_

7. If you are a naturalized citizen, state the date and place of naturalization.

\_\_\_\_\_

8. Military service:

Branch: \_\_\_\_\_ Dates: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Rank or Rate at Discharge:

Type of Discharge:

\_\_\_\_\_

\_\_\_\_\_

If still a reserve or national guard member, give service, branch, unit and present rank:

\_\_\_\_\_

9. Are you related by blood or marriage to any judges of this court? Yes \_\_\_\_

No \_\_\_\_\_. If yes, give name(s) and relationship. \_\_\_\_\_

**HEALTH**

10. What is the present state of your health? \_\_\_\_\_

11. a) Have you in the last 10 years (i) been hospitalized due to injury or serious mental or physical illness or drug or alcohol addiction, or (ii) been prevented from working or otherwise incapacitated for a period in excess of ten days due to injury or illness, drug or alcohol addiction? If so, give the particulars, including the causes, the dates, the places of confinement, and the present status of the condition(s) which caused the confinement or incapacitation.

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b) Do you have any visual or hearing impairment or other mental or physical impairment that would affect your ability to perform the duties of a magistrate judge? If so, please describe the impairment and how your impairment could be accommodated to allow you to perform the duties of a magistrate judge.

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**EDUCATION**

12. Colleges and universities attended, dates, and degrees:

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13. Continuing legal education courses completed within last 10 years:

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**HONORS**

14. Were you a member of a law review? Yes \_\_\_\_\_ No \_\_\_\_\_. If yes,  
describe role: \_\_\_\_\_

15. If you have published any legal books or articles, list them, giving  
citations and dates: \_\_\_\_\_

16. List any honors, prizes, or awards you have received: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PROFESSIONAL ADMISSIONS**

17. List all courts (including state bar admissions) and administrative  
bodies having special admission requirements in which you are presently  
admitted to practice, giving the dates of admission in each case:

Court or Administrative Body	Date of Admission
_____	_____
_____	_____
_____	_____

**LAW PRACTICE**

18. State the names, addresses, and dates of employment for all law firms with  
which you have been associated in practice, all government agencies, and  
all private business organizations in which you have been employed. Also  
provide all dates during which you have practiced as a sole practitioner.

Organization	Address	Position	Date
_____	_____	_____	_____


19. Describe the general nature of your current practice including any legal specialties and character of your typical clients; also, if your practice is substantially different now than previously, give details of prior practice. \_\_\_\_\_

20. a) Do you appear regularly in court? Yes \_\_\_\_\_ No \_\_\_\_\_.

b) What percentage of your appearances in the last five years were in

- |                                    |         |
|------------------------------------|---------|
| 1. Federal courts                  | _____ % |
| 2. State or local courts of record | _____ % |
| 3. Administrative bodies           | _____ % |
| 4. Other                           | _____ % |

21. During the past five years, what percentage of your practice has been trial practice? \_\_\_\_\_ %

22. How frequently have you appeared in court? \_\_\_\_\_ times per month.

23. How frequently have you appeared at administrative hearings? \_\_\_\_\_ times per month.

24. What percentage of your practice involving litigation has been:

Civil	_____ %
Criminal	_____ %
Other:	
_____	_____ %
_____	_____ %
_____	_____ %

25. State the number of cases you have tried to conclusion in courts of record during the past five years, indicating whether you were sole, associate, or chief counsel. Give citations of any reported cases. \_\_\_\_\_

26. Summarize your courtroom experience for the past five years. \_\_\_\_\_

27. State the names and addresses of adversary counsel against whom you have litigated your primary cases over the past five years: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PUBLIC OFFICE**

28. Have you ever run for, or held, public office? Yes \_\_\_\_ No \_\_\_\_\_. If yes, give details. \_\_\_\_\_  
\_\_\_\_\_

**PRIOR JUDICIAL EXPERIENCE**

29. a) Have you ever held judicial office or been a candidate for judicial office? if so, state the courts involved and the dates of service, or dates of candidacy: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b) Prior quasi-judicial service:

Name of agency \_\_\_\_\_

Position held \_\_\_\_\_

Hearings on what types of issues \_\_\_\_\_

Number of cases adjudicated \_\_\_\_\_

Dates of service \_\_\_\_\_

**BUSINESS INVOLVEMENT**

30. a) If you are now an officer, director, or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment to judicial office. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b) Since being admitted to the Bar, have you ever engaged in any occupation, business, or profession other than the practice of law?

Yes \_\_\_\_ No \_\_\_\_\_. If yes, give the details, including dates.

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c) During the past five years have you received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization, or association of any kind?

Yes \_\_\_\_ No \_\_\_\_\_. If yes, identify the source of such compensation, the nature of the business enterprise, institution, organization or association involved, and the dates such compensation was paid.

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31. a) Have you ever been arrested, charged, or convicted for violation of any federal law, state law, county or municipal law, regulation, or ordinance? Yes \_\_\_\_ No \_\_\_\_\_. If yes, give details. (Do not include traffic violations for which a fine of \$200 or less was imposed unless it also included a jail sentence.) \_\_\_\_\_

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b) Have you, to your knowledge, ever been under federal, state or local investigation for possible violation of a criminal statute? Yes \_\_\_\_ No \_\_\_\_\_. If yes, give particulars. \_\_\_\_\_

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32. a) Have you ever been sued by a client? Yes \_\_\_\_ No \_\_\_\_\_. If yes, give particulars. \_\_\_\_\_

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b) Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? Yes \_\_\_\_ No \_\_\_\_\_. If yes, give particulars, including the amounts involved. \_\_\_\_\_

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33. Have you ever been charged in any civil or criminal proceedings with conduct alleged to involve moral turpitude, dishonesty, or unethical conduct? Yes \_\_\_\_ No \_\_\_\_\_. If yes, give particulars. \_\_\_\_\_

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34. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group? Yes \_\_\_\_ No \_\_\_\_\_. If Yes, give particulars. \_\_\_\_\_

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35. Have you filed appropriate tax returns as required by federal, state, local, and other government authorities? Yes \_\_\_\_ No \_\_\_\_\_. If no, explain. \_\_\_\_\_

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36. Have any liens or claims ever been instituted against you by the federal, state or local authorities? Yes \_\_\_\_ No \_\_\_\_\_. If yes, explain. \_\_\_\_\_

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**PROFESSIONAL AND OTHER ACTIVITIES**

37. a) List all bar associations and legal professional societies of which you are a member and give the titles and dates of any office you have held in such groups, and committees to which you belonged. \_\_\_\_\_

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b) List all organizations and clubs, other than bar associations and professional societies identified in response to Question 39.a), of



which you have been a member during the past ten years, including the titles and dates of any offices you have held in each such organization.

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**SUPPLEMENTAL INFORMATION**

38. State any achievements or actions you have accomplished, demonstrating your commitment to equal justice under the law. \_\_\_\_\_

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39. State any additional education or other experiences you believe would assist you in holding judicial office. \_\_\_\_\_

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40. State any other pertinent information reflecting positively or adversely on you which you believe should be disclosed to the district court and the selection panel in connection with your possible nomination as United States magistrate judge. \_\_\_\_\_

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41. List five individuals as references who are familiar with your abilities and personal character.

Name	Address	Telephone
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**CONFIDENTIALITY STATEMENT**

This form will be kept confidential and will be examined only by members of the Merit Selection Panel and the judges of the district court. The individuals whom you have listed as references above may be contacted by the panel, but no other employers, colleagues, or other individuals will be contacted without your prior approval.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
THE DISTRICT COURT IS AN EQUAL OPPORTUNITY EMPLOYER

## WAIVER OF CONFIDENTIALITY

I hereby authorize the custodian of any records or information to permit the examination or receipt of such information, whether written or oral, by the Merit Selection Panel. I also authorize the Merit Selection Panel to consult with my former employers, my current employer, my professional colleagues, and my physician with regard to matters pertinent to my qualifications for the position of a United States magistrate judge.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Signature